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REMARKS

This communication is intended as a full and complete response to the final Office Action mailed February 27, 2007. In the Office Action, the Examiner notes that Claims 1, 2, 5, 7-15, 17 and 18 are pending and rejected. By this response, Applicants have amended claims 1 and 14 to correct of the informalities.

In view of the foregoing amendments and the following discussion, Applicants submit that none of the claims now pending in the application are anticipated under the provisions of 35 U.S.C. §102. Thus, Applicants believe that all of these claims are now in allowable form.

Applicants, by amending the claims, also do not acquiesce to the Examiner's characterizations of the art of record or to Applicants' subject matter recited in the pending claims. Further, Applicants are not acquiescing to the Examiner's statements as to the applicability of the art of record to the pending claims by filing the instant response including amendments.

Claim Objections

Claims 1 and 14 are objected to because of certain informalities.

As suggested by the Examiner, both claims have been amended to correct for the informalities. The objections to these claims are therefore overcome.

35 U.S.C. §102(b) Rejection of Claims 1, 2, 5, 7-15, 17, and 18

The Examiner has rejected Claims 1, 2, 5, 7-15, 17, and 18 under 35 U.S.C. §102(b) as being anticipated by Egawa et al. (5,534,944, hereinafter "Egawa"). The rejection is respectfully traversed.

Egawa discloses a method of splicing two compressed video signals by inserting an amount of null information between the two signals in order to avoid buffer overflow (see Abstract).

However, Egawa does not teach or suggest at least the features of: "encoding a second video stream in accordance with an encoding parameter associated with the

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first compressed video stream to generate a second compressed video stream having a second encoding profile which matches the first encoding profile to within a requisite degree, wherein a profiler continuously tracks the encoding parameter associated with the first compressed video stream for instant parameter changes," as recited in Applicant's claim 1.

Specifically, Applicant disagrees with Examiner's interpretation (see page 2, Office Action, Response to Arguments) of Egawa's Fig. 6 as teaching the concept of a common encoding parameter associated with the first compressed video stream, and Fig. 4 as teaching a profiler 412 that continuously tracks the same encoding parameter for instant parameter changes.

Instead, Fig. 6 teaches the calculation of a number of stuffing bits (NSTUFF) to be inserted between two video streams. Fig. 4 teaches that processor 412 is coupled to receive various main and insert signal streams, and is further coupled to two buffers, one of which (414) is used to gather information from which NSTUFF is calculated, while the other buffer (416) performs the actual splicing (see col. 5, lines 6-29). Processor 412 also calculates the number of the stuffing bits (col. 6, lines 49-50) to be inserted between two video signal streams in order to avoid buffer overflow.

However, there is no teaching in either Fig. 4 or Fig. 6 that the parameter NSTUFF bears any relevance to the encoding of the second video stream. Furthermore, the mere reception by processor 412 of various signal streams does not by itself teach the tracking of any encoding parameter associated with a first video stream, or the encoding of a second video stream in accordance with this encoding parameter.

Thus, Egawa's processor 412 is different from the profiler in Applicant's claim 1, and there is no teaching about encoding a second video stream in accordance with an encoding parameter associated with a first video stream, as provided in Applicant's claim 1.

As such, Egawa fails to teach or suggest at least the "encoding a second video stream in accordance with a encoding parameter associated with the first compressed video stream to generate a second compressed video stream having a second encoding profile which matches the first encoding profile to within a requisite degree,

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wherein a profiler continuously tracks the encoding parameter associated with the first compressed video stream for instant parameter changes," as recited in claim 1.

Therefore, claim 1 is not anticipated by Egawa and is patentable under 35 U.S.C. §102. Since independent claim 14 includes relevant limitations similar to those discussed above in regards to claim 1, claim 14 is also not anticipated by Egawa and is patentable under 35 U.S.C. §102.

Furthermore, claims 2, 5, 7-13, 15, and 17-18 depend, either directly or indirectly, from independent claims 1 and 14, and recite additional limitations thereof. As such and at least for the same reasons as discussed above, these dependent claims are also not anticipated by Egawa and are patentable under 35 U.S.C. §102.

Therefore, the Examiner is respectfully requested to withdraw the rejection.

CONCLUSION

Applicants submit that all the claims presently in the application are in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Eamon J. Wall, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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